

ALABAMA UNEMPLOYMENT COMPENSATION

TELEPHONE CALL CENTERS

BENEFIT RIGHTS AND RESPONSIBILITIES

A HANDBOOK FOR

**ALABAMA UNEMPLOYMENT
COMPENSATION CLAIMANTS**

**IMPORTANT INFORMATION
PLEASE READ AND KEEP FOR FUTURE REFERENCE**

INTRODUCTION

This handbook has been prepared to explain the Unemployment Compensation program and answer many questions you may have. It does not take the place of the Alabama Unemployment Compensation Law.

Your responsibility for meeting the Alabama unemployment compensation benefit requirements begins when your claim is filed. **Please read and familiarize yourself with the contents of this handbook and ask questions about anything that you do not understand. This handbook contains valuable information which will assist you in every phase of filing for and receiving unemployment benefits.**

The Alabama Department of Industrial Relations Unemployment Compensation Division does not discriminate on the basis of a disability in the provision of services or employment. If you need this material interpreted, in a different form, or if you need assistance in using our service, please contact us.

**LARGE PRINT COPIES OF THIS
HANDBOOK CAN BE OBTAINED
BY WRITING TO:**

**CALL CENTER OPERATIONS
UNEMPLOYMENT COMPENSATION
DIVISION
ROOM 2469
649 MONROE STREET
MONTGOMERY, AL 36131**

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PART ONE: YOUR UNEMPLOYMENT CLAIM RECORD

YOUR SOCIAL SECURITY NUMBER

The Unemployment Compensation Division can process your claim only if you provide your social security number. We use your social security number to verify your identity, to locate your employer(s) and your wages, to determine other income, to determine eligibility, to keep records of your benefit payments, and to gather statistics. The authority to require your social security number is found under the Internal Revenue Code of 1954, and the Code of Alabama, 1975.

DISCLOSURE OF INFORMATION

In addition to reporting your unemployment income to the Internal Revenue Service and to the Alabama Department of Revenue, information concerning your claim may be disclosed to other governmental agencies without your written consent. This is done when necessary and only when it is authorized by law or regulation. Your claim information is considered confidential and requests for information about your claim by other agencies must be justified in writing to the Department of Industrial Relations. When you request information from your file concerning your employment, wages, or unemployment status for the purpose of income verification for loan applications, educational assistance programs, loss of income insurance, subsidized housing or utilities, etc., a written, signed, notarized request must be sent with a check or money order in the amount of eight dollars (\$8.00) to the following address:

ATTN: Central Cashier, Finance Division
Department of Industrial Relations
649 Monroe Street
Montgomery, Alabama 36131

To protect the confidentiality of information about your claim, information concerning your claim or the status of your checks can only be given through the *Unemployment Call Center Inquiry Line* discussed later in this booklet.

CHANGE OF ADDRESS

If you have a change of address following the filing of your claim, please be sure to immediately notify the Unemployment Compensation Division through the ***Call Center Inquiry Line, 1-800-361-4524***. This will ensure that checks and all other correspondence are forwarded to your correct address.

You should always notify the U. S. Post Office located nearest you of your change of address. However, it is your responsibility to keep the Unemployment Compensation Division informed of your correct mailing address.

INCOME TAX WITHHOLDING

Unemployment compensation benefits are taxable income. Each year all of your unemployment benefit payments are reported to the Internal Revenue Service and to the Alabama Department of Revenue.

You can request to have federal income taxes withheld from your unemployment benefit checks. If you elect to have federal tax withheld, your weekly benefit checks will be reduced by 10 percent (10%). You will be given the option to change your withholding status only once during your claim year. We will mail a Statement of Benefits, **Form 1099-G**, to your last address of record no later than January 31st of each year.

DIRECT DEPOSIT

To have your unemployment benefit checks automatically deposited into your personal checking or savings account, you must have your bank routing number and checking or savings account number available when you make your call.

PART TWO: YOUR UNEMPLOYMENT COMPENSATION CLAIM

WHAT IS UNEMPLOYMENT COMPENSATION?

The Unemployment Compensation Division pays unemployment benefits to workers who are either unemployed or working reduced hours, through no fault of their own. Not everyone who applies for unemployment qualifies for benefits. Certain conditions must be met in order to meet initial eligibility requirements and to remain eligible to receive benefits.

THE UNEMPLOYMENT COMPENSATION TRUST FUND

The unemployment compensation program is financed by employer taxes. **Employees do not pay any unemployment compensation taxes on wages earned.** Most employers pay federal and state unemployment taxes.

Unemployment tax is paid by employers on the first \$8,000.00 of their workers' gross earnings during a tax year. Quarterly state tax payments are deposited into the Unemployment Compensation Trust Fund and used solely for the payment of unemployment compensation benefits to eligible claimants.

Not all employers pay the unemployment compensation tax. Some employers elect to reimburse the Unemployment Compensation Trust Fund the amount of benefits paid to their workers on a dollar-for-dollar basis.

QUALIFYING FOR BENEFITS

There will be at least two determinations made on your claim. The first determination is the monetary determination. The monetary determination will tell you if you have earned enough wages to qualify for unemployment benefits. The monetary determination will indicate:

1. wages paid to you by your employer(s) within the base period quarters. (The base period is explained further under the section, "**Computing Monetary Eligibility**" of this handbook), and
2. your maximum and weekly benefit amount, if you qualify.

BE SURE TO REVIEW YOUR MONETARY DETERMINATION CAREFULLY! NOTIFY THE CALL CENTER INQUIRY LINE IF THERE APPEARS TO BE ANY MISSING OR INCORRECTLY REPORTED WAGES. PROOF OF WAGES, SUCH AS A W-2 FORM, PAY STUBS, OR A LETTER FROM YOUR EMPLOYER, MAY BE REQUIRED TO CORRECT YOUR WAGE RECORD.

If you have wages from another state, military or federal wages, school-related wages, or if some of your Alabama wages are missing or require an investigation, you may be issued another monetary determination after these additional wages are recorded.

A second determination will be made regarding the reason you were separated from your last employer.

If no disqualification is assessed on your claim, you will receive unemployment benefit checks for any weeks you claimed, provided there were no questions regarding your eligibility.

If a disqualification is assessed, you will receive a written decision notifying you that benefits were either reduced, suspended, or denied for any length of time because of your most recent job separation.

COMPUTING MONETARY ELIGIBILITY

You must have insured wages in at least two quarters of your base period in order to qualify for unemployment benefits. The following definitions and charts will help you understand how it is determined if you have enough wages to qualify for benefits and will explain how your weekly and maximum benefit amounts are calculated:

CALENDAR QUARTERS: The four calendar quarters of the year are as follows:

- 1st Qtr: January 1 - March 31
- 2nd Qtr: April 1 - June 30
- 3rd Qtr: July 1 - September 30
- 4th Qtr: October 1 - December 31

BASE PERIOD: The base period is the first four of the last five completed calendar quarters before the week you call to file an initial claim application for a new benefit year. Wages paid to you during your base period are used to determine if you have enough wages to qualify for a claim and to calculate how much you can be paid in benefits.

Wages earned in other states during the base period may be used in combination with your Alabama wages to determine your eligibility. **If you have worked in another state during the base period, be sure to advise a claims specialist when filing your claim or through the Call Center Inquiry Line, 1-800-361-4524.**

The chart that follows will help you to understand how the calendar quarters in a base period are determined. To determine your base period, find the month in the far right row in which you filed your claim. The four shaded quarters in the same row across to the left are the base period quarters of your claim. Example: A claim that started in July 2003 has a base period that starts on April 1, 2002 and ends on March 31, 2003.

IF YOU FILE YOUR CLAIM IN:



OCT. NOV. DEC.	JAN. FEB. MAR	APR. MAY JUN.	JUL. AUG. SEP.	OCT. NOV. DEC.	JAN. FEB. MAR
JAN. FEB. MAR	APR. MAY JUN.	JUL. AUG. SEP.	OCT. NOV. DEC.	JAN. FEB. MAR	APR. MAY JUN.
APR. MAY JUN.	JUL. AUG. SEP.	OCT. NOV. DEC.	JAN. FEB. MAR	APR. MAY JUN.	JUL. AUG. SEP.
JUL. AUG. SEP.	OCT. NOV. DEC.	JAN. FEB. MAR	APR. MAY JUN.	JUL. AUG. SEP.	OCT. NOV. DEC.

← **BASE PERIOD** →

COVERED AND INSURED EMPLOYMENT: Covered employment is work performed for an employer who is subject to the Alabama unemployment Compensation Law. Only wages paid from covered employment can be used to qualify for unemployment benefits and to calculate your monetary eligibility. Some work, however, can be excluded (or not covered) by law, even when performed for a covered employer.

HIGH QUARTER: Your high quarter is the base period quarter during which you were paid the highest amount of wages from covered employment. The average earnings of your two highest base period quarters must equal to at least the minimum amount specified by law. Your total base period wages must equal or exceed 1½ times your high quarter earnings in order to be eligible for unemployment benefits.

BENEFIT YEAR: A benefit year is the 52-week period during which you can claim benefits, beginning with the week you file your initial claim. The maximum benefit amount that you will be able to draw during that year is the amount equal to a maximum of 26 weeks or fewer.

You can stop claiming weekly benefits during your benefit year as many times as you want or need; however, once your unemployment benefits are exhausted or your benefit year has expired, no other benefits on that claim will be available. Once your benefit year exhausts or expires, you can file a new initial claim application.

Unless an extended benefits period is in effect, to be eligible to draw benefits on another new claim application, you must have sufficient base period wages. You must also have worked and earned at least eight (8) times your previous weekly unemployment benefit amount since the effective date of a prior benefit year claim.

WORK PERFORMED OUTSIDE THE STATE OF ALABAMA DURING THE BASE PERIOD

You may file an interstate claim on wages earned and reported to another state, the District of Columbia, Puerto Rico, Canada, or the Virgin Islands. To file an interstate claim, you may call the toll-free number, **1-866-234-5382**, discussed in the ***"Unemployment Compensation Call Centers"*** section of this handbook. You will be required to furnish the names and addresses of all employers you worked for during the base period and the dates you were employed with them. If you have filed a claim against another state that does not file by telephone within the last 12 months, Alabama will notify that state to reopen that claim, unless your benefits from that state are exhausted, terminated or postponed for an indefinite period of time.

The state where your wages were earned and against which you are filing your claim will make the decision as to whether you qualify for unemployment benefits. You will be subject to all the eligibility requirements of that state. Each state's unemployment compensation law and procedure for filing may vary.

PART THREE: CONDITIONS FOR ELIGIBILITY

WHAT IS AN ELIGIBILITY ISSUE?

An eligibility issue is any information or set of circumstances, discovered during or after your benefit year, that can raise a legal question about whether you should be paid unemployment benefits.

There are two types of eligibility issues: **separation** and **non-separation** eligibility issues. The Department must investigate all relevant eligibility issues which apply to your claim before and while paying benefits. A fact-finding interview will be conducted to determine if you are eligible for benefits. An eligibility issue can reduce, suspend, or deny your benefits under the Alabama Unemployment Compensation Law.

SEPARATION ELIGIBILITY ISSUES

A form will be mailed to your most recent employer to notify them that you have filed a claim for unemployment benefits. This form will request information about why you are no longer employed. Although information about your job separation is obtained from you at the time you filed your telephone claim, it may be necessary that we contact you again, once a response is received from your employer. Before a decision can be made on your claim, it is necessary that the Department have a clear understanding of the circumstances under which you became unemployed. Circumstances regarding your separation from your last employer can affect whether or not you can draw benefits.

The Alabama Unemployment Compensation Law provides for a delay or disqualification from receipt of benefits if:

- 1. you voluntarily quit your job without a good cause connected with the work.** Personal reasons, such as a lack of transportation, moving to another town, etc., are not considered good work connected causes for quitting a job.
- 2. you were discharged from your job for misconduct in connection with the work.** Failure to obey an employer's work rules and policies, such as, being late or absent (whether unexcused or excessive), endangering the safety of others, disregarding orders or instructions, committing a dishonest or criminal act, etc., are considered good causes for an employer to discharge an employee. The seriousness of the misconduct, whether or not prior warnings were given, and/or if steps were taken to correct the behavior prior to the discharge will determine the severity of the effect on one's benefits. Example: An individual discharged from their job for committing a dishonest or criminal act could result in a disqualification that requires wages reported by that employer be removed from the individual's base period wage file.
- 3. you become unemployed due to a work stoppage resulting from a labor dispute.** In general, individuals are disqualified for the week(s) they are unemployed due to a work stoppage resulting from a labor dispute.

NON-SEPARATION ELIGIBILITY ISSUES

Other requirements for remaining eligible to receive unemployment benefits include:

- 1. You must be available for work during each week that you wish to draw benefits.** You must be able, seeking, and willing to immediately accept full-time work, during the hours, days and shifts normally worked in the trade or industry for which your training and/or experience qualifies you.
- 2. You must be able to work to qualify for benefits.** If sickness or injury prevents you from working on a job for which you are qualified based on your past experience and/or training, benefits can be denied until such time that you can provide proof that you are able to work.
- 3. You must participate in or report to fact-finding interviews, profile interviews, eligibility reviews, and register with the Employment Service, as instructed.** If you fail to take part or report, as instructed, to a call-in notice to a One Stop Career Center or Employment Service Office, or to register with the Employment Service, benefits can be denied.

While receiving unemployment benefits, you may be selected to participate in an eligibility review interview. During a telephone call to file your weekly claim certification, you will be instructed to answer eligibility questions. This eligibility review interview will be conducted prior to filing your weekly claim certification.

4. You must make an active search for work each week that you wish to receive benefits. This will require that you do all that is reasonable to secure employment as discussed in the ***“Work Search Requirements ”*** section of this handbook.

5. You must not refuse any offer of suitable work. Your benefits can be delayed from one (1) to ten (10) weeks if you fail to respond to a call-in notice from the Employment Service Office or One Stop Career Center regarding a possible job referral, if you refuse a referral to a job, if you fail to keep an appointment with a prospective employer, or if you refuse suitable work from an employer.

Suitability is determined based upon your past training and experience, the details of the job, and by the local labor market. Any job referral or refusal must be immediately reported through the ***Call Center Inquiry Line***.

6. You must immediately report the receipt of any income through the *Call Center Inquiry Line, 1-800-361-4524*. You must follow the instructions discussed further in the ***“How to File Your Weekly Claim ”*** section of this handbook. Certain types of payments such as wages, vacation pay, holiday pay, workers’ compensation pay, sick pay, warn pay (under the Warn Law), etc., may be disqualifying or deductible from unemployment benefits.

7. If you are not a citizen of the United States, you must provide your alien registration number as documentation of your permission to work in the United States. Your alien registration number will be verified with the Immigration and Naturalization Service (INS). If the INS indicates that you do not have authorization to work in the United States, unemployment benefits cannot be paid to you. An unemployment claim cannot be established using any wages you earned before you had authorization to work.

8. If you attend GED classes, a college, or a vocational school, you may be able to draw benefits as long as you make yourself fully available for any suitable work, even if it means changing the hours of your classes or quitting school. If you are a regular, full-time student, attending high school, you will be disqualified from receiving benefits until you are no longer attending high school.

9. If you are enrolled in training approved by this Department, you must remain enrolled and make satisfactory progress in completing your approved course of training. As long as you remain enrolled and are making satisfactory progress, it will have no effect on your benefits. You can ask about available training courses and enrollment qualifications at your local One Stop Career Center or Employment Service Office.

Generally, failure to meet the above requirements will result in a written determination on your claim. In some instances such as deduction of earnings, no written notice is required; however, you have the right to protest or request redetermination of any reduction or denial of benefits.

WORK SEARCH REQUIREMENTS

You may be instructed to register with the Employment Service within a specified period of time. Registration with the Employment Service normally requires a seated interview. Failure to register as required can result in a loss of benefits.

You will also be required to respond should an Employment Service Office contact you by call-in notice to discuss a referral to a possible job opportunity or for special re-employment services. This is designed to expedite your return to work.

Unless otherwise instructed, you will be required to make an active search for work. You must make a reasonable and active search for work through customary means for your occupation. Failure to do so can result in a loss of benefits.

The following guidelines will assist you in making a reasonable and active work search:

1. Apply each week with employers who hire people with your experience, training, or skills. Your contacts should include former employers if you have reason to believe that there is some chance that you may be rehired.
2. Contact employers during hours of the day and days of the week when hiring is normally done.
3. Generally, the most successful contacts are made in-person. Under certain circumstances, however, telephone calls and resumes may be acceptable, depending on the standard job-seeking practices within your particular occupation.
4. Apply to the person who has authority to hire. File written applications for work whenever you have the chance.
5. Apply for work for which you are qualified, within the normal commuting distance of your place of residence.

PART FOUR: SPECIAL PROGRAM CLAIMS

MILITARY EMPLOYMENT

You may file a claim based on your separation or release from active military duty. It will be necessary for you to provide your social security number and your DD-214, Member 4 copy, before your eligibility can be determined.

FEDERAL EMPLOYMENT

You may file a claim based on separation from federal civilian employment. It will be necessary for you to provide the form SF-8, SF-50, or earnings/leave statements as proof of employment.

EDUCATIONAL EMPLOYMENT

School employees with reasonable assurance of re-employment the next school year are generally denied benefits between terms and during regularly scheduled breaks. Individuals who have educational employment will receive two monetary determinations:

- (1) one containing all wages reported during the base period, including school wages, and
- (2) one containing all wages reported during the base period, without school wages. It may be possible for these individuals to draw a reduced benefit amount during a scheduled school break and between terms if enough wages from non-school employers were earned during the base period.

TRADE ACT BENEFITS

If you were laid off as a result of competition from imports, you may be eligible for Trade Readjustment Allowance (TRA) and other worker benefits under the Trade Adjustment Assistance Reform Act of 2002. The Act requires that the eligible worker who is covered by a certification issued pursuant to a petition received on or after November 4, 2002, be enrolled in a Training program approved under the provisions of the Act or waiver of training enrollment must be granted. The training enrollment or issuance of a training waiver must occur no later than the last day of the 16th week after the worker's most recent total separation from adversely affected employment or the last day of the 8th week after the certification date, whichever is later, in order to receive Trade Readjustment Allowance (TRA) benefits. The Employment Service Office will determine if a waiver should be granted.

TRA benefits may include:

1. Relocation and job search allowances.
2. Training assistance.
3. Weekly readjustment allowances.
4. Employment services.

If you are receiving TRA benefits and are not in approved training, you will be required to register with the Employment Service every four (4) weeks. The Employment Service Office will complete your training waiver if appropriate. They will also review your record of work search, form TRA-17. You will be required to make three (3) in-person employer contacts on more than one day of each week that benefits are claimed.

DISASTER UNEMPLOYMENT ASSISTANCE

The major objective of the Disaster Unemployment Assistance (DUA) program is to provide assistance to individuals whose employment has been lost or interrupted as a direct result of a major disaster.

A major disaster is defined as any hurricane, tornado, storm, flood, high water, tidal wave, wind-driven water, earthquake, drought, ice or fire conditions, or other catastrophes declared by the

President to warrant government assistance to communities and individuals.

Payment can be made to an unemployed worker, as a direct result of a declared major disaster, if such individual:

1. no longer has a job.
2. is unable to reach the place of work.
3. was to commence work and does not have a job or is unable to reach the job.
4. as major support for the household, becomes the breadwinner because the head of the household has died.
5. cannot work because of a disaster-related or incurred injury.

EXTENDED BENEFITS

The Alabama Unemployment Compensation Law provides for extended benefits for claimants who have exhausted their benefits during periods of high unemployment. The Department will make public announcements to all news media of the beginning and ending dates of any extended benefits period.

EMPLOYER FILED CLAIMS

Your employer may file a partial claim for benefits for any given week that you worked and earned less than your weekly unemployment benefit amount. To be valid, your employer must file the partial claim after the end of the payable week, but within 14 days following the week claimed. If your employer does not file the partial claim for you within that time period, it is your responsibility to file your claim application by telephone.

PART FIVE: UNEMPLOYMENT COMPENSATION CALL CENTERS

You must file your unemployment compensation claim through our Telephone Call Centers.

FILING A CLAIM APPLICATION

Filing a claim application does one of the following:

1. Starts a new 52 week benefit year if you have never filed for unemployment before.
2. Starts a new 52 week benefit year if your benefit year from an earlier claim has ended.
3. Reactivates or reopens a benefit year that has not yet ended.

PREPARING FOR THE CALL

You should have the following information available when you call to file an initial claim application:

1. *Your social security number;*

2. *Your Driver's License or Alabama ID #;*
3. *Your Alien Registration Card, if applicable;*
4. *A list of names, complete addresses, and telephone numbers, and the beginning and end dates of employment for your last 2 employers;*
5. *Information and related documents for any federal civilian employment, military service, or work performed in another state in the past 18 months;*
6. *Your bank routing number and checking or savings account number, to have your unemployment check deposited directly into your bank account.*

HOW TO CALL

CALL 1-866-2-FILE UC

The above toll-free number, **1-866-234-5382**, is available for filing your claim. You must use a touch-tone telephone to file your claim. Using a cellular telephone is not recommended. If you do not have access to a touch-tone telephone, you may use a designated telephone at a local One Stop Career Center or Employment Service Office nearest you.

You will be asked a series of questions that will require you to answer by pressing numbers on your touch-tone telephone keypad. You may then be transferred to a claim specialist and/or given additional information to complete your claim.

Inquiries and follow-up on previously filed claims must be made by calling the ***Unemployment Call Center Inquiry Line, 1-800-361-4524***.

HOW LONG TO ESTABLISH A CLAIM?

It usually takes about two - four (2-4) weeks following the week you filed your claim to receive your first benefit check, provided that you have followed all instructions, filed your weekly certifications as instructed, and have met all eligibility requirements. Failure to give complete and correct information will delay any benefits to which you may be entitled. Please keep this in mind whenever you are inquiring as to whether your first check or future benefit checks have been mailed.

PART SIX: WEEKLY CLAIM CERTIFICATIONS

The Unemployment Compensation Division operates a touch-tone telephone voice response system, the ***Alabama Claim Line***, by which weekly benefit certifications may be filed.

The ***Alabama Claim Line*** telephone number for your calling area will be provided to you when you file your claim. A complete list of local numbers is provided in this booklet. The claim line telephone number also allows you to have access to your account to obtain specific information

about your benefit checks, to change your Personal Identification Number (PIN), and to obtain general information about the unemployment benefit program. At times the claim line may be busy due to the number of calls being processed at the time you make your call. If so, keep trying your call or choose another day to call about your claim.

Weekly continued claims may be filed Sunday through Friday, 5:00 a.m. until 12:00 Midnight, CST. General information is available anytime, day or night, 7 days a week, and does not require your social security number.

FILING YOUR WEEKLY CLAIM

You must call each week to file your weekly claim certifications, even before a determination has been made on your claim.

If you choose to stop filing weekly claim certifications, for any reason your claim becomes inactive. You must reopen or reactivate your claim when you want to start filing for your weekly benefits again. When you make your call and the system detects that you missed claiming a week, you will receive a message informing you that you have a break in your claim series. If you fail to follow the instructions provided, it may result in a loss of benefits.

You will need your Personal Identification Number (PIN) and your social security number when you make your call. If you have forgotten your PIN, you must call the call center inquiry line for assistance.

Your PIN is your electronic signature. It is legally valid and enforceable and should not be shared with anyone! Your PIN verifies that you have given true and accurate information. You may, by law, be prosecuted for giving false information or answering questions for anyone other than yourself!

WHAT TO DO IF YOU RETURN TO WORK

If you worked during the week for which you are filing, have the amount of your gross pay you received or will receive ready to enter. **You must report your earnings, before deductions, for the week even if you have not yet been paid! Be sure to report your gross earnings and not your net pay!**

WHAT TO DO IF YOU MOVE OR GO OUT OF TOWN

If you have moved to another state, you must contact the claims line, 1-866-234-5382.

If you are away from Alabama temporarily, you may file your weekly claim certifications by continuing to call the ***Alabama Claim Line*** number previously given to you. Long distance charges will apply. You will still have to meet all eligibility requirements while out of town.

WHAT TO DO IF YOU RETURN TO WORK AND BECOME UNEMPLOYED AGAIN

You should call the claims line at 1-866-234-5382 to reopen your claim as soon as you become unemployed. ***Do not wait to receive your last paycheck. Remember. Your claim cannot be backdated.*** Your most recent employer will be notified that you have filed a claim for benefits

and will be requested to provide information as to why you are no longer employed.

HOW TO FILE YOUR WEEKLY CLAIM

When you choose option #1, to file your claim for weekly benefits, you will be instructed to answer the following questions truthfully. If you make a mistake in an answer, you will have a chance to correct your mistake after all questions have been answered.

To answer, “yes,” press 1 on your keypad, to answer, “no,” press 9:

- 1. “During the week ending____, did you perform work for pay? You must enter the total amount you earned before any deductions are made. You must report your gross pay for the week even though you have not yet received a pay check. Multiply the number of hours you actually worked by the amount you were paid per hour to determine your gross pay amount. The amount you entered will be repeated to you for verification. You may be paid the difference in your weekly benefit amount minus your reported gross earnings plus \$15.00, provided that you have met all other eligibility requirements.**
- 2. “During week ending____, did you or will you receive holiday pay, vacation pay, compensation for an injury received on the job?”**
- 3. “For week ending____, has there been a change in the amount or status of retirement pay or any other pension plan, or school, or training status?”**
- 4. “For week ending____, did you refuse work, quit a job, were you discharged from a job, or were you self employed?”**
- 5. “For week ending____, were you physically able to work, available for work, and actively seeking full-time work as instructed by the Call Center?”**

After you have answered all questions, the system will review your answers. If your answers indicate no potential eligibility issues, you will be asked if you want to review the answers. If you choose “yes,” the answers will be read back to you. If you choose, “no,” your weekly claim will be processed. If the system detects a potentially disqualifying answer, the answer will automatically be repeated. If you say your answers are not all correct, you will be given the opportunity to change your answers. If you say the answers are correct, you will be advised that a potentially disqualifying answer has been detected. You will then be instructed to call the call center inquiry line for a fact-finding interview.

When all the information has been entered and verified, you will be told that your claim has been accepted and processed. You must wait for this response before hanging up to insure that all your answers have been recorded.

NOTE: Your electronic pin or your signature on a unemployment benefit check is legally valid and enforceable! It is written acknowledgment that you have given true and accurate information and understand that there are penalties for giving false information to obtain unemployment benefits.

LOST OR STOLEN CHECKS

If you lose your check or if your check is stolen, you must call the *Call Center Inquiry Line, 1-800-361-4524*, to file an affidavit for a lost or stolen check. An affidavit can only be filed after 14 days from the date the check was issued.

PART SEVEN: FRAUD DETECTION

To report fraud, call 1-800-392-8019

FRAUD DETECTION PROGRAMS

Alabama, as well as other states, has several methods of detecting fraud and overpayments in the payment of unemployment benefits. These methods include:

1. Employer Wage Records.
2. Benefit Payment Audit of your claim.
3. Quality Assurance Audit of your claim.
4. Reports through the Fraud Hotline.

PENALTIES FOR FRAUD

Failure to report information that affects your eligibility for benefits may be construed as an act of fraud. Falsely reporting any information on your claim application or weekly claim certifications may also be construed as an act of fraud. Any intentional misrepresentation or withholding of facts or information concerning your eligibility while claiming benefits constitutes fraud, whether or not benefits are received.

If either of the above situations is detected in the payment of unemployment benefits, a fraud determination may result from a review of your claim. A fraud determination may result in a fraud penalty assessment against your current or future unemployment compensation claim(s). The fraud penalty will automatically be deducted from your current and/or future maximum benefit amount(s).

Committing the act of unemployment fraud is punishable by prosecution. An arrest warrant may be issued against you. Each week claimed fraudulently constitutes a separate offense. Upon conviction, you can be:

- 1. Fined up to \$500.00 and/or**
- 2. Sentenced to a maximum of 12 months in jail for each offense.**

OVERPAYMENT OF BENEFITS

An overpayment can result if you are paid benefits and it is later determined, for any reason, that you did not qualify for those benefits. Failure to truthfully answer all questions on your claim, to report any gross income or deductible income, or to report any condition or situation that may make you unavailable for or unable to work can lead to an overpayment of benefits.

If it is determined that you are overpaid benefits, you will be notified by mail, through a ***Notice of Determination of Overpayment***, which will indicate the amount of the overpayment and explain why you were overpaid.

The overpayment can be collected, by law, through offset of your weekly benefit check(s) or through an offset of your state income tax refund, when you file your Alabama State Income Tax Return, Form 40 or 40A. You may also repay the overpayment by voluntary repayment by personal check, money order, certified check, or a cashier's check made payable to the ***Department of Industrial Relations***.

PLEASE DO NOT SEND CASH IN THE MAIL! ALWAYS WRITE YOUR SOCIAL SECURITY NUMBER ON YOUR CHECK OR MONEY ORDER!

If the overpayment cannot be paid in full, a repayment agreement can be arranged. All repayment agreements must be in writing. Mail your payments to the following address:

Department of Industrial Relations
Benefit Payment Control Section, Room 4676
649 Monroe Street
Montgomery, Alabama 36131
Phone: (334) 242-8800

If you would like to make repayment arrangements or have any questions about your overpayment, you may contact the Benefit Payment Control Section at the above telephone number.

WAIVER OF REPAYMENT OF OVERPAYMENT

If an overpayment is no fault of yours, you may request that the repayment of your overpayment be waived by the Director. Requests for waiver questionnaires are reviewed by the Waiver Committee only after all appeal rights on your overpayment(s) have become final. You may request a waiver questionnaire by contacting the:

Department of Industrial Relations
Waiver Committee, Room 4676
64 9 Monroe Street
Montgomery, Alabama 36131
FAX: (334) 242-0967
Phone: (334) 242-8800

**PART EIGHT:
APPEALS**

If you disagree with an examiner's determination, you may file an appeal to the Hearing and Appeals Division. This is your first level of administrative appeal. Appeals must be filed within 15 calendar days of the mailing date of the original decision or within 7 calendar days if the decision was handed to you in-person. If the last day to file falls on a weekend or a state holiday, the deadline to file an appeal will be the next working day after the weekend or holiday.

Appeal requests can be made by writing to:

Department of Industrial Relations
Hearing and Appeals Division, Room 4677
649 Monroe Street
Montgomery, Alabama 36131
FAX: (334) 242-2084

Your letter must be signed. In the letter, provide your social security number, and state the reason you do not agree with the decision that was made on your claim.

The Appeals Unit will forward additional instructions for you upon receipt of your appeal request.

NOTE: It is important that you continue to file your weekly claims by telephone during the appeals process, so that, if the decision is in your favor, you can be paid for eligible back weeks.

NOTICE OF HEARING

The appeal hearing will be scheduled within a short time of your request for an appeal. You will receive a ***Notice of Unemployment Compensation Hearing*** in the mail informing you of the date, time, location of the hearing, the issue(s) to be discussed, and the Hearing Officer's name.

Telephone hearings may be held in certain situations. Your hearing notice will provide you with instructions for this type of hearing. You should read all information on the back of the notice of hearing.

If more than one party is involved, all parties will receive a notice. Appeal hearings are usually held at an Employment Service Office location. It is important to be present and on time for your hearing. The Hearings Officer will not accept testimony or discuss the case by telephone.

HEARING PROCEDURE

The Hearings Officer has sole responsibility in conducting the hearing. When conducting the hearing, the Hearing Officer will:

1. identify those present, explain the issues, the purpose of the hearing, and the hearing procedures.
2. explain the order in which persons will testify.
3. assist parties in asking questions of other parties and witnesses.
4. determine if testimony and documents being offered should be accepted and considered.
5. question parties and witnesses to obtain necessary facts.

Hearings are tape recorded by the Hearings Officer. No one other than the Hearings Officer may record the hearing. An oath will be administered prior to taking testimony.

The Hearings Officer is charged with conducting a fair and impartial hearing. In doing so, it is the Hearing Officer's responsibility to protect the rights of all parties. The Hearing Officer will not allow interference from any party in the conduct of the hearing nor discuss any case before or after the hearing.

EVIDENCE AND AFFIDAVITS

If you have documents supporting your case, bring such evidence to the hearing. Bring only evidence that is relevant to your appeal. Affidavits may not be as persuasive as oral testimony. It is better for you and your witnesses to appear in person at the hearing. If you or witnesses are unable to attend the hearing, an affidavit may be submitted. The affidavit should set forth all facts in chronological order, giving dates, places, and names. Affidavits must be received by the Hearings Officer before the hearing.

ATTENDANCE OF WITNESSES AND SUBPOENAS

You must bring to the hearing only those individuals who have actual, direct personal knowledge of the facts concerning the case. One or two witnesses are usually enough. If a witness refuses to appear voluntarily, you may request that the individual be subpoenaed. Documents may also be subpoenaed. Subpoenas may be requested by contacting the Hearings and Appeals Division.

Requests for subpoenas should be made as far in advance of the hearing as possible to allow for preparation, mailing, and delivery. You must provide the Department with the address of the person you wish to subpoena.

FAILURE TO APPEAR

If either party fails to appear, the Hearings Officer may hear the testimony of the party appearing and decide the case on the basis of their testimony and any other evidence available. If the person filing the appeal fails to appear, the Hearings Officer may, without receiving further evidence, issue a default decision affirming the determination from which the appeal was taken. If you are not on time for the hearing, you may lose your opportunity to testify or present any evidence.

WITHDRAWALS AND POSTPONEMENTS

An appeal may be withdrawn by the party requesting the appeal at any time before the Hearings Officer issues a decision. Requests for withdrawal of an appeal shall be stated on record at the hearing or shall be submitted in writing. Such a withdrawal shall be considered a consent to abide by the determination from which the appeal was taken.

Any hearing may be postponed by the Hearing Officer for good cause. Requests should be made well in advance of the hearing by contacting the Hearings and Appeals Division. Postponements shall be granted only when necessary to afford all parties opportunity for a fair hearing. No party shall be granted more than one emergency or unusual hardship as determined by the Hearing Officer.

ATTORNEY OR OTHER AUTHORIZED REPRESENTATIVE

A hearing before a Hearings Officer is less formal than a court of law. It is not necessary for you to have an attorney or another representative to represent you at the hearing. However, if you desire, you may be represented by an attorney or other authorized representative at your own expense.

Attorneys' fees, by law, may not exceed 10 percent of the maximum benefits at issue. If you are unable to afford paid legal assistance, you may request representation from one of the free legal advisory services in the community. You may also be represented by a union official, a family member, or another person of your choosing. Likewise, an employer may be represented by whomsoever he desires.

THE APPEALS DECISION

The Hearings Officer will render a written decision and mail it to all interested parties within a reasonable time after the hearing. The decision will include findings of fact, conclusions of law, and the decision itself. In the decision, the Hearings Officer will either affirm, reverse, or modify the original decision being appealed. If you have questions about the hearing or the decision, you may contact the Hearings and Appeals Division.

If either party disagrees with the Hearing Officer's decision, an appeal may be filed to the Board of Appeals. The appeal to the Board of Appeals must be filed within 15 days of the date the Hearings Officer's decision was mailed.

THE BOARD OF APPEALS

If you disagree with the Hearing Officer's decision, you may file an application to appeal to the Board of Appeals. This is the second level of administrative appeal. The Board of Appeals is a three-member body appointed by the Governor. They conduct hearings only in Birmingham, Tuscaloosa, Dothan, Decatur, Gadsden, Mobile, and Montgomery. The Board of Appeals hearings are not conducted by telephone.

An appeal to the Board of Appeals must be received by the Board of Appeals within 15 calendar days after the mailing date of the Hearing Officer's decision. If filing your appeal by letter, your appeal should include your name, social security number, and state the reason you disagree with the decision made on your claim. Appeals to the Board can be made either by calling your local claims inquiry number or by writing to:

Department of Industrial Relations
Board of Appeals Office, Room 2206
649 Monroe Street
Montgomery, Alabama 36131

The Board of Appeals may grant or deny your application for appeal. In order for the appeal to be granted, the request for appeal must be complete and address specific points that were not thoroughly covered in the appeal with the Hearings Officer. If your application for an appeal with the Board of Appeals is denied, you will be notified of the denial by certified mail. If your application for appeal is granted, the Board may decide the case based on the record or they may

schedule a hearing. You will be notified of the time and place of the hearing. The decision of the Board of Appeals becomes final 10 days after the date the decision is mailed.

CIRCUIT COURT

If either party is dissatisfied with the decision of the Board of Appeals, they may file an appeal to the circuit court in the county of the claimant's residence. If you live out of the state of Alabama, you must file your appeal to the circuit court in the Alabama county in which you last worked or resided. You have 30 days from the date the decision of the Board of Appeals becomes final to appeal to the circuit court. Appealing to the circuit court does not require the services of an attorney. Decisions of the circuit court may be appealed to the Alabama Court of Civil Appeals.

PART NINE: EQUAL OPPORTUNITY IS THE LAW

It is against the law for the recipient of federal financial assistance to discriminate on the following basis:

Against any individual in the United States, on the basis of race, color, religion, sex, national origin, age, disability, political affiliation, or belief; and against any beneficiary of programs financially assisted under Title I of the Workforce Investment Act of 1998 (WIA), on the basis of the beneficiary's citizenship/status as a lawfully admitted immigrant authorized to work in the United States, or his or her participation in any WIA Title I - financially assisted program or activity.

The recipient must not discriminate in any of the following areas:

Deciding who will be admitted, or have access, to any WIA Title I - financially assisted program or activity; or providing opportunities in, or treating any person with regard to, such program activity; or making employment decisions in the administration of, or in connection with, such a program or activity.

WHAT TO DO IF YOU BELIEVE YOU HAVE EXPERIENCED DISCRIMINATION

If you think that you have been subjected to discrimination under a WIA Title I - financially assisted program or activity, you may file a complaint within 180 days from the date of the alleged violation with either:

Janice Henke, Director
EEO and Grievance Division
Alabama Department of Industrial Relations (DIR)
649 Monroe Street
Montgomery, Alabama 36131
Phone: (334) 242-8495
TTY: Dial 711 for the Alabama Relay Service

or

The Director
The Civil Rights Center (CRC)
U. S. Department of Labor
200 Constitution Avenue, NW, Room N-4123
Washington, D.C. 20210

If you file a complaint with the DIR, you must wait either until the DIR issues a written ***Notice of Final Action***, or until 90 days have passed (whichever is sooner), before filing with the Civil Rights Center (see address above).

If the DIR does not give you a written *Notice of Final Action* within 90 days of the day on which you filed your complaint, you do not have to wait for DIR to issue that Notice before filing a complaint with CRC. However, you must file your CRC complaint within 30 days of the 90-day deadline (in other words, within 120 days after the day on which you filed your complaint with DIR).

If the DIR does give you a written *Notice of Final Action* on your complaint, but you are dissatisfied with the decision or resolution, you may file a complaint with CRC. You must file your CRC complaint within 30 days of the date on which you received the *Notice of Final Action*.

ALABAMA CLAIM LINE
(Weekly Claim Local Numbers and Locations)

Albertville	(256) 878-5049
Alex City	(256) 234-0215
Andalusia	(334) 222-0313
Anniston	(256) 832-0560
Birmingham	(205) 254-1269
Brewton	(334) 867-5123
Clanton	(205) 755-9756
Cullman	(256) 739-0246
Decatur	(256) 355-7595
Demopolis	(334) 289-1913
Dothan	(334) 712-9932
Enterprise	(334) 347-0485
Eufaula	(334) 687-4938
Fayette	(205) 932-7792
Foley	(251) 943-7094
Fort Payne	(256) 845-5902
Gadsden	(256) 546-0949
Greenville	(334) 382-9025
Huntsville	(256) 852-5851
Jackson	(251) 246-4403
Jasper	(205) 221-1789
Mobile	(251) 461-4168
Monroeville	(251) 575-5331
Montgomery	(334) 242-0960
Opelika	(334) 749-2081
Ozark	(334) 774-0609
Roanoke	(334) 863-7383
Russellville	(256) 332-0796
Scottsboro	(256) 574-6399
Selma	(334) 875-3590
Sheffield	(256) 381-2291
Talladega	(256) 362-1449
Troy	(334) 566-3101
Tuscaloosa	(205) 758-7994
Not in a local area:	(800)752-7389

TTD: (Montgomery area) (334) 242-0965
(Outside Montgomery) (800) 280-9828

HOURS OF OPERATION AND TELEPHONE NUMBERS:

**TO FILE YOUR NEW CLAIM APPLICATION
OR TO REOPEN AN EXISTING CLAIM:**

TOLL FREE

1-866-2 FILE UC (1-866-234-5382)

**BETWEEN 8:00 AM - 4:30 PM CST
MONDAY THROUGH FRIDAY**

**TO CALL THE CALL CENTER INQUIRY LINE (TO OBTAIN INFORMATION,
ASSISTANCE, OR TALK TO A CLAIMS SPECIALIST):**

1-800-361-4524

INTERSTATE CLAIMS

334-242-8625

**BETWEEN 8:00 AM - 4:30 PM CST
MONDAY THROUGH FRIDAY**

**DEAF, HARD OF HEARING, AND
SPEECH-IMPAIRED CALLERS
MAY REACH US BY CALLING:**

TTY/TDD (800) 499-2035

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WEB ADDRESS

<http://dir.alabama.gov>

EMPLOYMENT SERVICE (ES) OFFICES

Alabaster	(205)632-2542
Albertville	(256)878-3031
Alexander City	(256)234-5066
Andalusia	(334)222-1115
Anniston	(256)832-0147
Arab	(256)586-7589
Ashland	(256)354-3860
Athens	(256)232-4703
Bay Minette	(251)937-4161
Birmingham	(205)254-1300
Blountsville	(205)429-4311
Boaz	(256)593-0475
Brewton	(251)867-4376
Butler	(205)459-3227
Centre	(256)927-5002
Clanton	(205)755-0643
Cullman	(256)734-4911
Decatur	(256)355-0142
Demopolis	(334)289-0202
Dothan	(334)792-2121
Enterprise	(334)347-0044
Eufaula	(334)687-3551
Fayette	(205)932-5999
Foley	(251)943-1575
Fort Payne	(256)845-2900
Gadsden	(256)546-4667
Greenville	(334)382-3128
Haleyville	(205)486-9245
Hamilton	(205)921-7657
Homewood	(205)870-3275
Huntsville	(256)851-0537
Jackson	(251)246-2453
Jasper	(205)221-2576
Lanett	(334)644-1851
Mobile	(251)461-4146
Monroeville	(251)575-3894
Montgomery	(334)286-1746
North Mobile	(251)452-0542
Oneonta	(205)274-0342
Opelika	(334)749-5065
Ozark	(334)774-9386
Pell City	(205)338-3117
Phenix City	(334)297-1551
Prattville	(334)365-7889
Roanoke	(334)863-8114

EMPLOYMENT SERVICE (ES) OFFICES

Russellville	(256)332-2625
Scottsboro	(256)574-1720
Selma	(334)872-0471
Sheffield	(256)383-5610
Talladega	(256)362-8770
Troy	(334)566-3920
Trussville	(205)655-0395
Tuscaloosa	(205)758-7591
Tuskegee	(334)727-5855